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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BRYSON McCONAHY,

Defendant.

Case No.: 2:22-cr-00043-JAD-BNW

**STIPULATION TO CONTINUE
SENTENCING HEARING**

(First Request)

IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson, United States Attorney; Allison Reese, Assistant United States Attorney, counsel for the United States of America, and Jacquelyn N. Witt, Assistant Federal Public Defender, counsel for defendant BRYSON McCONAHY, that the sentencing hearing currently scheduled for October 16, 2023, at the hour of 11:00 a.m., be vacated and continued to a date and at a time convenient to the Court, as soon as possible after October 31, 2023.

This Stipulation is entered into for the following reasons:

1. Contrary to Local Rule of Criminal Procedure 32-1(b), counsel for the government was not made aware of the Defendant's extensive objections to the Presentence Investigation Report ("PSR") until October 5, 2023, when the revised

PSR was provided to the parties. And the Defendant did not confirm that he would be proceeding on these objections until the evening of October 6, 2023, when he filed his sentencing memorandum.

2. As such, counsel for the government needs additional time to adequately and effectively respond to the Defendant's objections to the PSR.

3. Moreover, counsel for the government reached out to the case agent and potential witness to the contested facts in the PSR, who advised the government that he is unavailable until after October 31, 2023.

4. The parties agree to the additional time.

5. The defendant is not in custody and does not object to the continuance.

6. This is the first request for a continuance of the sentencing date.

Dated: October 12, 2023

Respectfully submitted,

JASON M. FRIERSON
United States Attorney

/s/ Allison Reese

ALLISON REESE
Assistant United States Attorney

/s/ Jacquelyn N. Witt

JACQUELYN N. WITT
Assistant Federal Public Defender
Counsel for Defendant BRYSON McCONAHY

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BRYSON McCONAHY,

Defendant.

Case No.: 2:22-cr-00043-JAD-BNW

ORDER

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Contrary to Local Rule of Criminal Procedure 32-1(b), counsel for the government was not made aware of the Defendant's extensive objections to the Presentence Investigation Report ("PSR") until October 5, 2023, when the revised PSR was provided to the parties. And the Defendant did not confirm that he would be proceeding on these objections until the evening of October 6, 2023, when he filed his sentencing memorandum.
2. As such, counsel for the government needs additional time to adequately and effectively respond to the Defendant's objections to the PSR.
3. Moreover, counsel for the government reached out to the case agent and potential witness to the contested facts in the PSR, who advised the government that he is unavailable until after October 31, 2023.
4. The parties agree to the additional time.
5. The defendant is not in custody and does not object to the continuance.
6. This is the first request for a continuance of the sentencing date.

1 7. For all of the above-stated reasons, the end of justice would best be served if
2 Defendant's sentencing was rescheduled.

3 **ORDER**

4 IT IS ORDERED that the sentencing hearing currently scheduled for October 16, 2023,
5 at the hour of 11:00 a.m., be vacated and continued November 8, 2023, at 11:00 a.m.

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7 DATED this 12th day of October, 2023.

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11 HONORABLE JENNIFER A. DORSEY
12 UNITED STATES DISTRICT JUDGE
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